

1
2 UNITED STATES DISTRICT COURT
3 DISTRICT OF NEVADA

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5 WILLIAM TERRELL, *et al.*,

6 Plaintiffs,

2:11-cv-00142-APG-VCF

7 vs.

8 CENTRAL WASHINGTON ASPHALT, INC., *et*
9 *al.*,

ORDER

10 Defendants.

11 Before the court is the CWA Defendants' Emergency Motion for a Protective Order Vacating the
12 Notice of Deposition of Kevin Kirkendall or, Alternatively, Staying the Deposition Pending Resolution
13 of the Emergency Motion. (#334). The court held a hearing on October 10, 2014 and heard
14 representations from the parties.

15 The parties are advised to work out among themselves the details and order of the expert
16 depositions. On September 22, 2014, the parties were ordered to file a stipulation by October 13, 2014
17 setting a schedule to complete depositions by December 15, 2014. (#325). CWA Defendants request to
18 extend the date to file the stipulation to October 15, 2014. The request to file the stipulation regarding
19 deposition schedules by October 15, 2014 is granted. If the parties are not able to agree on a date for
20 Kevin Kirkendall's deposition, the stipulation must provide dates on which his deposition may be
21 scheduled before and after Mr. Johnson's deposition. If the parties cannot agree regarding Kevin
22 Kirkendall's deposition date, when approving the stipulation, the court will order one of the available
23 dates.
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1 CWA Defendants also seek to file a motion to reopen discovery based on the new allegation in
2 the amended complaint. The parties have agreed to shorten the briefing schedule on the motion to
3 reopen discovery.

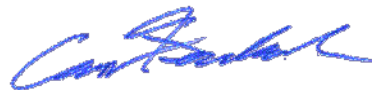
4 Accordingly,

5 IT IS HEREBY ORDERED that CWA Defendants' Emergency Motion for a Protective Order
6 Vacating the Notice of Deposition of Kevin Kirkendall or, Alternatively, Staying the Deposition
7 Pending Resolution of the Emergency Motion (#334) is granted in part and denied in part as set forth
8 above.

9 IT IS FURTHER ORDERED that the parties must stipulate to a schedule to complete
10 depositions by December 15, 2015 and that stipulation must be filed by October 15, 2014.

11 IT IS FURTHER ORDERED that if CWA Defendants file a motion to reopen discovery based
12 on the new allegation in the amended complaint, that motion must be filed by October 15, 2014. Any
13 opposition to the motion to reopen discovery must be filed by October 25, 2014. The reply in support of
14 the motion to reopen discovery must be filed by October 30, 2014.

15 Dated this 10th day of October, 2014.

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17 CAM FERENBACH
18 UNITED STATES MAGISTRATE JUDGE
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